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State Superintendent
of Public Instruction

Ensuring High Quality School Environments

A Policy Overview

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California Department of Education
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California Perspective

- >1,000 School Districts & County Offices of Education, Charter School Entities
- 10,000 existing public K-12 schools
- 100 new traditional K-12 schools/year
- 100 traditional K-12 schools were closed in 2009/2010 school year



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More California Perspective

- Since 1998
 - State K-12 bonds - \$35.4 billion
 - Local bonds - \$63.8 billion
- Other capital funding sources
 - Developer fees
 - Redevelopment
 - Foundation grants
 - Federal funds and tax credits (QZAB and QCSB)

3



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Local Educational Agencies

- Select school sites and design schools
- Are “lead agency” implementing CEQA
- May override local zoning for classroom facilities*
- May use eminent domain*
- May enter into joint-use agreements/projects such as parks, libraries, performing arts, sports fields, etc.
- Have local bonding authority*

*not available to charters

4



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Facility Responses to Educational and Community Trends

- Community services on campus and 24/7 community use
- High performance/sustainable features
- Choice - alternative/magnet/charter schools, career technical education, open enrollment, on-line/virtual schools
- School closure and larger schools
- Equity issues

5



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LEA Tensions and Issues

- *Governance*: Meeting state requirements while maintaining local control
- *Financial*: State and LEA fiscal constraints at both capital and operational levels
- *Educational*: Providing 21st century learning environments in outdated facilities
- *Siting*: Identifying new sites in developed/developing areas
- *Zoning*: Protecting existing schools from encroaching incompatible uses
- *Community*: Role in "Smart Growth" efforts

6



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State Agency Roles

School Facilities Planning Division - SFPD

Establishes regulatory standards to ensure safe and educationally appropriate schools, provides best practices

Dept. of Toxic Substances Control - DTSC

Provides hazardous material assessment and cleanup oversight for state funded non-exempt school construction

Division of State Architect - DSA

Approves all school construction for structural, fire/life safety, access standards (*Title 24 & Field Act – Seismic standards*)

Office of Public School Construction - OPSC

Administers State bond funding programs, supports and implements State Allocation Board (SAB) regulations/policies

7



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Role of CDE/SFPD

- Establish school siting & plan standards
 - Pursuant to authority in *Education Code 17251*
 - Within *California Code of Regulations Title 5, 14001 et seq.*
- Review and approve projects (site and plans) for consistency with Title 5 (required if state bond funds are requested)
- Provide best practices, advice and assistance to Local Educational Agencies
- Provide leadership via a variety of educational policy venues
- Represent the Superintendent of Public Instruction on the State Allocation Board (SAB)

8



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Title 5 Regulations

- Educational and safety standards
 - Performance standards
 - Quantifiable standards
 - Required processes
- Are flexible and adaptable via exemption process
 - Document alternative way of meeting standards
 - Most projects have one or more exemptions granted

9



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CDE Site Selection Weighted Ranking Criteria

- | | |
|--------------------|---------------------|
| • <u>Safety #1</u> | • Public Services |
| • Location | • Utilities |
| • Environment | • Costs |
| • Soils | • Availability |
| • Topography | • Public Acceptance |
| • Size and Shape | |
| • Accessibility | |

10



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2008 CDE Roundtable Recommendations

1. Vision & Guiding Principles
2. Review and update Title 5
3. Increase collaboration
4. Increase focus on modernization
5. Review and restructure the linkage between school facility finance and design

11



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CDE Vision for School Facilities

CDE envisions school facilities that enhance the achievement of all students and are learner-centered, safe, sustainable, and centers of community.

12



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Key Guiding Principles that Support Smart Growth

Siting and design of educational facilities will:

- Reflect the LEA Board adopted facility master plan and education specifications
- Result from an open, community-based, and comprehensive planning process including all stakeholders and early dialogue with all involved planning agencies
- Promote sustainable practices that conserve natural resources, limit greenhouse gas emissions, optimize construction and life cycle costs, and encourage walking and bicycling
- Consider the full spectrum of community facilities and support opportunities for joint-use and educational partnerships
- Accommodate a complete facility adaptable to future demographic, educational, and community needs

13



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Key Points

- LEAs identify sites, design schools and are lead agency
- Title 5 is flexible and adaptable and consistent with “smart growth” concepts
- Multiple avenues for public and city/county input

14



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SB 50 Reverses Mira/Hart/ Murietta

- In 1998 SB 50 created a new school facility funding program
- Eliminated the power of cities/counties to deny approvals, or require school mitigations in excess of statutory LEA fees for impacts of legislative or adjudicative approvals, based upon inadequacy of school facilities

15

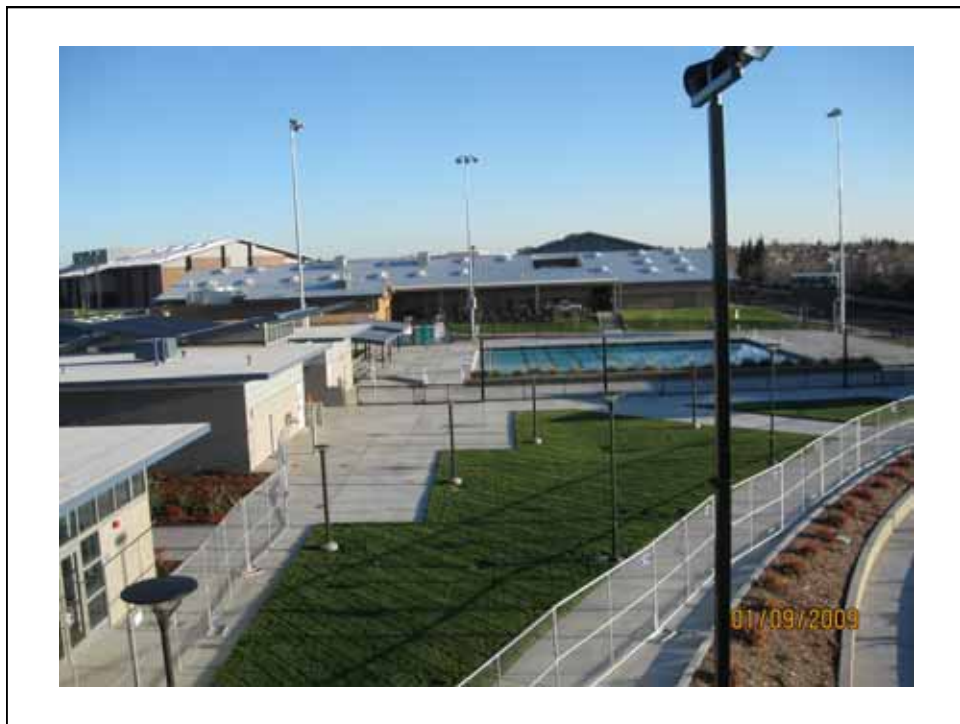


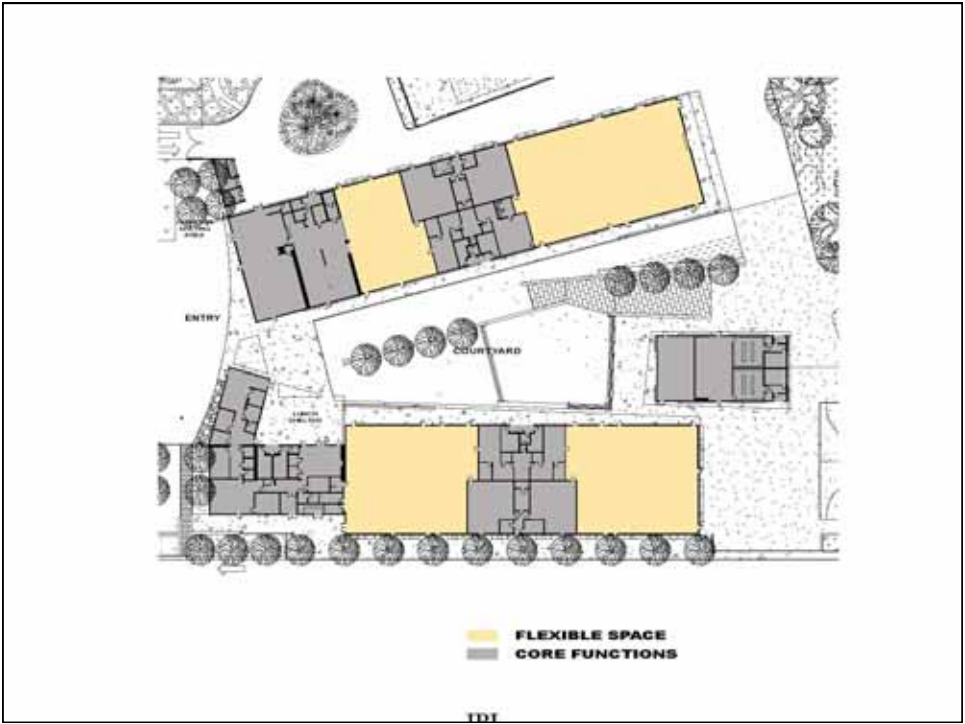
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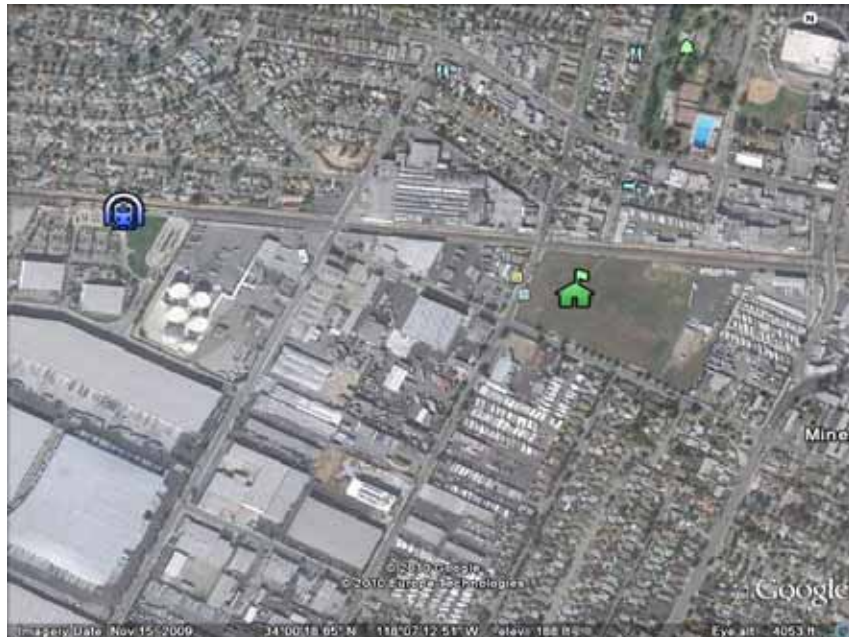
Collaboration Opportunities

- School Facilities Master Plan
- Educational Specifications
- General Plans, Specific Plans
- CEQA project alternatives analysis
- Closing school sites
- Selling surplus sites

16







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Resources and Contact

www.cde.ca.gov/ls/fa

- Forms
- Best practices
- Exemption protocols

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